

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTONIO VALLIN BRIDGES,

Plaintiff,

Case No. 24-cv-11941
Honorable F. Kay Behm

v.

BRIAN SHIPMAN, *et al.*,

Defendants.

OPINION AND ORDER DENYING MOTIONS (ECF NOS. 13, 14)
AND APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS ON APPEAL

The court dismissed Plaintiff's complaint at the screening stage and denied his application to proceed *in forma pauperis* pursuant to the "three strikes rule." ECF No. 11; 28 U.S.C. § 1915(g) (1996). Plaintiff then filed two motions to supplement the complaint. ECF Nos. 13, 14. Shortly thereafter, Plaintiff filed a notice of appeal (ECF No. 15) and an application to proceed *in forma pauperis* on appeal. ECF No. 17.

Plaintiff's notice of appeal confers jurisdiction on the court of appeals and divests this court of jurisdiction to consider matters involved in the appeal. *See*

Williamson v. Recovery Ltd. P'ship, 731 F.3d 608, 626 (6th Cir. 2013). Accordingly, the court lacks jurisdiction to consider Plaintiff's motions to supplement the complaint.

The court retains jurisdiction to consider "matters that will aid the appellate process," such as a motion to proceed *in forma pauperis* on appeal. *Id.* The court may grant in forma pauperis status if the court finds that an appeal is being taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24 (a); *Foster v. Ludwick*, 208 F. Supp. 2d 750, 765 (E.D. Mich. 2002). Good faith requires a showing that the issues raised are not frivolous, or "arguable on the merits." *Id.*

The court will DENY Defendant's motion, because the issues raised are frivolous and not arguable on the merits, for the reasons stated in the court's October 1, 2024 order. ECF No. 11.

It is further ORDERED that Defendant's motions to supplement the complaint are DENIED for lack of jurisdiction.

SO ORDERED.

Date: May 6, 2025

s/F. Kay Behm
F. Kay Behm
United States District Judge